

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

UNITED STATES OF AMERICA)

v.)

DOMINIC PAUL CERASARO)

DOCKET NO. 3:21-cr-00127-FDW

FACTUAL BASIS

NOW COMES the United States of America, by and through William T. Stetzer, Acting United States Attorney for the Western District of North Carolina, and hereby files this Factual Basis in support of the plea agreement filed simultaneously in this matter.

This Factual Basis is filed pursuant to Local Criminal Rule 11.2 and does not attempt to set forth all of the facts known to the United States at this time. By their signatures below, the parties expressly agree that there is a factual basis for the guilty plea(s) that the defendant will tender pursuant to the plea agreement, and that the facts set forth in this Factual Basis are sufficient to establish all of the elements of the crime(s). The parties agree not to object to or otherwise contradict the facts set forth in this Factual Basis.

Upon acceptance of the plea, the United States will submit to the Probation Office a "Statement of Relevant Conduct" pursuant to Local Criminal Rule 32.4. The defendant may submit (but is not required to submit) a response to the Government's "Statement of Relevant Conduct" within seven days of its submission. The parties understand and agree that this Factual Basis does not necessarily represent all conduct relevant to sentencing. The parties agree that they have the right to object to facts set forth in the presentence report that are not contained in this Factual Basis. Either party may present to the Court additional relevant facts that do not contradict facts set forth in this Factual Basis.

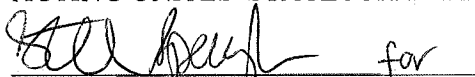
1. Between on or about February 12, 2020 and April 5, 2020, in Mecklenburg County, within the Western District of North Carolina and elsewhere, the defendant, Dominic Paul CERASARO, knowingly possessed material that contained images of child pornography that had been mailed, or shipped or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce by any means, including by computer, or that was produced using materials that had been mailed, or shipped or transported in or affecting interstate or foreign commerce by any means, including by computer;

2. Specifically, CERASARO possessed images and videos of child pornography in his Kik account that involved prepubescent minors and minors who had not attained 12 years of age. Kik is an internet based mobile messaging platform from which users can send messages, images, and videos to each other through the Kik application on their smartphone.

3. When CERASARO possessed this material, he knew that it contained images of child pornography.

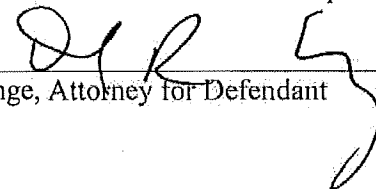
4. CERASAROS'S offense involved (a) material that portrays sadistic or masochistic conduct or other depictions of violence or sexual abuse or exploitation of an infant or toddler; (b) the use of a computer; and (3) 600 or more images.

WILLIAM T. STETZER
ACTING UNITED STATES ATTORNEY

 for
KIMLANI M. FORD
ASSISTANT UNITED STATES ATTORNEY

Defendant's Counsel's Signature and Acknowledgment

I have read this Factual Basis, the Bill of Information, and the plea agreement in this case, and have discussed them with the defendant. Based on those discussions, I am satisfied that the defendant understands the Factual Basis, the Bill of Information, and the plea agreement. I hereby certify that the defendant does not dispute this Factual Basis.


David Lange, Attorney for Defendant

DATED: 5/17/21